

AMENDED IN ASSEMBLY MAY 10, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 2198

Introduced by Assembly Member Nielsen
(Coauthor: Assembly Member Atkins)

February 23, 2012

An act to amend Sections 972.1 and 974 of the Military and Veterans Code, relating to veterans.

LEGISLATIVE COUNSEL'S DIGEST

AB 2198, as amended, Nielsen. Department of Veterans Affairs: reporting requirements.

Existing law requires the Department of Veterans Affairs to disburse funds, appropriated to the department for the purpose of supporting county veterans service officers pursuant to the annual Budget Act, on a pro rata basis, to counties that comply with certain conditions. Existing law requires the Department of Veterans Affairs to annually determine the amount of new or increased monetary benefits paid to eligible veterans by the federal government attributable to the assistance of county veterans service officers, and requires the department to prepare and transmit its determination for the preceding fiscal year to the Department of Finance and the Legislature on or before January 1 of each year.

This bill would extend the January 1 date specified above to March 1.

Existing law requires the Department of Veterans Affairs to annually prepare a report of the activities of county ~~veteran~~ *veterans* service officers, as specified, and may require each county veterans service officer to submit information required to prepare the report.

This bill would ~~expand~~ *revise* the reporting requirements of the Department of Veterans Affairs to include the number of veterans and their dependents who came in contact with a county veterans service officer, for whom federal or state claims were filed, and who received services from the federal government, as provided, and the number of homeless veterans and their dependents who were assisted in obtaining federal benefits *family members who have contacted or utilized the services of the county veterans service offices during the fiscal year, the number of claims filed to achieve benefits on behalf of veterans and their dependents, the annualized monetary value of benefits received, and a summary of services provided and special events and activities in which county veterans service offices participated, as specified.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) It is the intent of the Legislature to increase awareness and
- 4 accessibility to benefits that our state veterans have earned through
- 5 service to our nation.
- 6 (b) It is the intent of the Legislature to increase the amount of
- 7 federal benefits that California's veterans receive.
- 8 (c) It is the intent of the Legislature to be provided as complete
- 9 a picture as possible of the many ways that county veterans service
- 10 offices provide services to California's veterans.
- 11 (d) Therefore, it is necessary for county veterans service offices
- 12 to provide data in addition to that now being provided to the
- 13 Department of Veterans Affairs.
- 14 SECTION 1.
- 15 SEC. 2. Section 972.1 of the Military and Veterans Code, as
- 16 amended by Section 1 of Chapter 183 of the Statutes of 2009, is
- 17 amended to read:
- 18 972.1. (a) The sum of five hundred thousand dollars (\$500,000)
- 19 is hereby appropriated from the General Fund to the Department
- 20 of Veterans Affairs for allocation, during the 1989–90 fiscal year,
- 21 for purposes of funding the activities of county veteran service
- 22 officers pursuant to this section. Funds for allocation in future
- 23 years shall be as provided in the annual Budget Act.

1 (b) Funds shall be disbursed each fiscal year on a pro rata basis
2 to counties that have established and maintain a county veteran
3 service officer in accordance with the staffing level and workload
4 of each county veteran service officer under a formula based upon
5 performance that shall be developed by the Department of Veterans
6 Affairs for these purposes.

7 (c) The department shall annually determine the amount of new
8 or increased monetary benefits paid to eligible veterans by the
9 federal government attributable to the assistance of county veteran
10 service officers. The department shall, on or before March 1 of
11 each year, prepare and transmit its determination for the preceding
12 fiscal year to the Department of Finance and the Legislature. The
13 Department of Finance shall review the department's determination
14 in time to use the information in the annual Budget Act for the
15 budget of the department for the next fiscal year.

16 (d) (1) The Legislature finds and declares that 50 percent of
17 the amount annually budgeted for county veteran service officers
18 is approximately eleven million dollars (\$11,000,000). The
19 Legislature further finds and declares that it is an efficient and
20 reasonable use of state funds to increase the annual budget for
21 county veteran service officers in an amount not to exceed eleven
22 million dollars (\$11,000,000) if it is justified by the monetary
23 benefits to the state's veterans attributable to the effort of these
24 officers.

25 (2) It is the intent of the Legislature, after reviewing the
26 department's determination in subdivision (c), to consider an
27 increase in the annual budget for county veteran service officers
28 in an amount not to exceed five million dollars (\$5,000,000), if
29 the monetary benefits to the state's veterans attributable to the
30 assistance of county veteran service officers justify that increase
31 in the budget.

32 (e) This section shall remain in effect only until January 1, 2016,
33 and as of that date is repealed.

34 ~~SEC. 2.~~

35 *SEC. 3.* Section 972.1 of the Military and Veterans Code, as
36 amended by Section 2 of Chapter 183 of the Statutes of 2009, is
37 amended to read:

38 972.1. (a) The sum of five hundred thousand dollars (\$500,000)
39 is hereby appropriated from the General Fund to the Department
40 of Veterans Affairs for allocation, during the 1989–90 fiscal year,

1 for purposes of funding the activities of county veteran service
2 officers pursuant to this section. Funds for allocation in future
3 years shall be as provided in the annual Budget Act.

4 (b) Funds shall be disbursed each fiscal year on a pro rata basis
5 to counties that have established and maintain a county veteran
6 service officer in accordance with the staffing level and workload
7 of each county veteran service officer under a formula based upon
8 performance that shall be developed by the Department of Veterans
9 Affairs for these purposes, and that shall allocate county funds in
10 any fiscal year for county veteran service officers in an amount
11 not less than the amount allocated in the 1988–89 fiscal year.

12 (c) The department shall annually determine the amount of new
13 or increased monetary benefits paid to eligible veterans by the
14 federal government attributable to the assistance of county veteran
15 service officers. The department shall, on or before March 1 of
16 each year, prepare and transmit its determination for the preceding
17 fiscal year to the Department of Finance and the Legislature. The
18 Department of Finance shall review the department's determination
19 in time to use the information in the annual Budget Act for the
20 budget of the department for the next fiscal year.

21 (d) (1) The Legislature finds and declares that 50 percent of
22 the amount annually budgeted for county veteran service officers
23 is approximately eleven million dollars (\$11,000,000). The
24 Legislature further finds and declares that it is an efficient and
25 reasonable use of state funds to increase the annual budget for
26 county veteran service officers in an amount not to exceed eleven
27 million dollars (\$11,000,000) if it is justified by the monetary
28 benefits to the state's veterans attributable to the effort of these
29 officers.

30 (2) It is the intent of the Legislature, after reviewing the
31 department's determination in subdivision (c), to consider an
32 increase in the annual budget for county veteran service officers
33 in an amount not to exceed five million dollars (\$5,000,000), if
34 the monetary benefits to the state's veterans attributable to the
35 assistance of county veteran service officers justify that increase
36 in the budget.

37 (e) This section shall become operative January 1, 2016.

38 ~~SEC. 3.~~

39 *SEC. 4.* Section 974 of the Military and Veterans Code is
40 amended to read:

1 974. (a) The Department of Veterans Affairs shall annually
2 prepare a report of the activities of county veteran service officers,
3 and may require each county veteran service officer to submit
4 information required to prepare the report. The report shall include,
5 but not be limited to, all of the following:

6 ~~(1) The number of monthly federal benefit payments obtained~~
7 ~~on behalf of veterans.~~

8 ~~(2) The total value of those monthly benefit payments.~~

9 ~~(3) The average value of those monthly benefit payments.~~

10 ~~(4) The number of one-time benefit payments obtained,~~
11 ~~including both single-payment benefits and retroactive payments.~~

12 ~~(5) The total value of one-time benefit payments obtained.~~

13 ~~(6) The average value of these one-time benefit payments~~
14 ~~obtained.~~

15 ~~(7) The number of veterans and their dependents who came in~~
16 ~~contact with a county veterans service officer.~~

17 ~~(8) The number of veterans and their dependents for whom~~
18 ~~federal or state claims were filed, including new or increased~~
19 ~~claims.~~

20 ~~(9) The number of veterans and their dependents who received~~
21 ~~services from the federal government that relieved any financial~~
22 ~~obligation of the state or a county.~~

23 ~~(10) The number of homeless veterans and their dependents~~
24 ~~who were assisted in obtaining federal benefits.~~

25 *(1) The number of veterans and their family members who have*
26 *contacted or utilized the services of the county veterans service*
27 *offices during the fiscal year.*

28 *(2) The number of claims filed to achieve benefits such as*
29 *pension, disability compensation, and healthcare on behalf of*
30 *veterans and their dependents.*

31 *(3) The annualized monetary value of benefits received by*
32 *veterans and their dependents as a result of the efforts of county*
33 *veterans service office, broken down by type of benefit.*

34 *(4) A summary of other services provided by county veterans*
35 *service offices and special events and activities in which county*
36 *veteran service offices participated, such as veterans outreach*
37 *events, homeless veteran "Stand Downs," and job fairs for*
38 *veterans.*

1 (b) The information required to be included in paragraphs (1)
2 to ~~(10)~~ (3), inclusive, of subdivision (a) shall be set forth for each
3 county together with a statewide total.

4 (c) The department shall transmit a copy of the report to the
5 Department of Finance, the State Department of Health Care
6 Services, the California Veterans Board, and to each Member of
7 the Legislature.